

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROMEO EZIKE,

No. C 08-1867 MEJ

Plaintiff(s),

vs.

**ORDER RE PLAINTIFF'S MOTION
RE SERVICE**

MITTAL, et al.,

Defendant(s).

Before the Court is Plaintiff's "Motion to Support the Serving of the Defendant," filed December 15, 2008. (Dkt. #23.) In his motion, Plaintiff states that Defendant Lakshmi Mittal is a resident in a foreign country, and requests that the Court permit service through his agent in the United States under Federal Rule of Civil Procedure 4. Plaintiff states "Seyfarth Shaw partnership at 560 Mission St" as Mittal's agent. Based on Plaintiff's request, it appears that he is referring to Rule 4(f)(3), which permits the Court to authorize service on a foreign resident by means not prohibited by international agreement. Fed. R. Civ. P. 4(f)(3). One such method is service on an attorney that represents the plaintiff in the United States. *See, e.g., Forum Fin'l Group, LLC v. President, Fellows of Harvard College*, 199 F.R.D. 22, 24 (D. Me. 2001); *BP Products North America, Inc. v. Dagra*, 232 F.R.D. 263, 265 (E.D. Va. 2005). Accordingly, as Seyfarth Shaw LLP is a law firm that may represent or have represented Mittal, and given Plaintiff's status as a *pro se* litigant, the Court may

1 permit service in such by the United States Marshal in such a manner. However, Plaintiff gives no
2 indication that there is any type of relationship between Mittal and Seyfarth Shaw. Accordingly,
3 before ruling on Plaintiff's motion, the Court hereby ORDERS Plaintiff to file a declaration which
4 provides particularized information regarding the relationship between Mittal and Seyfarth Shaw.
5 Plaintiff shall attach as exhibits to the declaration any documentation which supports his claim.
6 Plaintiff shall file his declaration by January 7, 2009.

7 **IT IS SO ORDERED.**

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9 Dated: December 18, 2008


10 MARIA-ELENA JAMES
11 United States Magistrate Judge
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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

ROMEO EZIKE,

Case Number: CV08-01867 MEJ

Plaintiff,

CERTIFICATE OF SERVICE

v.

LAKSHMI MITTAL et al,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on December 18, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Romeo Ezike
P.O.Box 425126
San Francisco, CA 94142

Dated: December 18, 2008

Richard W. Wieking, Clerk
By: Brenda Tolbert, Deputy Clerk